

Restoration Trust Fund may be used annually and shall be used exclusively for the acquisition of specific properties, or for the purposes, identified in the Tribe's Reservation Restoration Plan. There shall be an annual review of the plan to update it for purposes of identifying the priorities of properties in consultation with the Land Acquisition Committee. Upon acquiring any land, the Tribal Council may request that the United States hold the land in trust for the Little River Band of Ottawa Indians. The remaining earnings, after payment to the trust manager and the independent certified public accountant, shall be added to the principal of the Reservation Restoration Trust Fund.

5.06. The Tribal Council shall maintain the Reservation Restoration Fund on an annual basis, which includes:

(a) Maintaining ten percent (10%) of the annual earnings generated by the Reservation Restoration Trust Fund, after payments to the trust manager and independent certified public accountant in the Reservation Restoration Fund;

(b) Using any portion of the ninety percent of the earnings that was not used in one year, in any subsequent year thereafter; and,

(c) Depositing any other funds which the Tribal Council chooses to add to the Reservation Restoration Trust Fund.

5.07. The principal of the Reservation Restoration Trust Fund shall not be expended for any purpose, including but not limited to, per capita payments to members of the Little River Band of Ottawa Indians.

5.08. The Reservation Restoration Trust Fund shall be maintained as a separate account, which shall be audited at least once during each fiscal year by a certified public accountant who shall prepare a report on the results of such audit. Such report shall be a public document, and shall be available for inspection by any member of the Little River Band of Ottawa Indians.

5.09. Notwithstanding any other provision of law, the approval of the United States of any payment from the Reservation Restoration Trust Fund shall not be required and the United States shall have no trust responsibility for the investment, supervision, administration, or expenditure of funds from the Reservation Restoration Trust Fund.

#### *Section 6. Tribal Sovereign Immunity*

6.01. Nothing in this plan shall provide, or be interpreted to provide, a waiver of the sovereign immunity from suit of the Little River Band of Ottawa Indians or any of its governmental officers and/or agents.

6.02. Nothing in this plan shall create a duty of financial obligation on the part of the Little River Band of Ottawa Indians or any of its officers and/or agents to provide judgment fund distribution payments to an individual who alleges that he/she did not receive a per capita distribution check; provided, however, that the Little River Band of Ottawa Indians must show:

(a) The individual's name does not appear on any of the rolls authorized under this plan; or

(b) The individual's name: (i) appeared on one of the rolls authorized under this plan; and, (ii) a copy of the per capita check is returned by the Tribal Administration as proof of distribution to the last known address of the individual entitled to a per capita check.

This notice is published in exercise of authority delegated to the Assistant Secretary—Indian Affairs under 25 U.S.C. 2 and 9 and 209 DM 8.

Dated: November 19, 1998.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Availability of Plan of Operations and Environmental Assessment for Proposed 3-D Seismic Survey; Seismic Exchange, Incorporated, Big Thicket National Preserve, Hardin and Jasper, Texas**

Notice is hereby given in accordance with Section 9.52(b) of Title 36 of the Code of Federal Regulations, Part 9, Subpart B, that the National Park Service has accepted a Plan of Operations from Seismic Exchange, Incorporated for Three Dimensional Seismic Survey within Big Thicket National Preserve, Hardin and Jasper Counties, Texas.

The Plan of Operations and corresponding Environmental Assessment are available for public review and comment for a period of 30 days from the publication date of this notice. Both documents can be viewed during normal business hours at the Office of the Superintendent, Big Thicket National Preserve, 3785 Milam Street, Beaumont, Texas. Copies can be requested from the Superintendent, Big Thicket National Preserve, 3785 Milam Street, Beaumont, TX 77701.

Dated: November 23, 1998.

**Richard R. Peterson,**

*Superintendent, Big Thicket National Preserve.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Availability of the Record of Decision for the General Management Plan for the Sitka National Historical Park, Alaska**

**AGENCIES:** National Park Service, Interior.

**ACTION:** Notice of Availability of the Record of Decision for the General Management Plan for the Sitka National Historical Park, Alaska.

**SUMMARY:** The National Park Service (NPS) announces the availability of the Record of Decision (ROD) for the General Management Plan for the Sitka National Historical Park, Alaska.

The National Park Service will implement the proposed action (alternative 1) as described in the Draft and Abbreviated Final General Management Plan/Environmental Impact Statements as the selected alternative. This plan will achieve a high-quality, diverse visitor experience consistent with the mandate and mission of the NPS and the purpose and significance of the park. New management strategies, social science methods, and interpretive tools will be used to improve the management of visitor use, especially during the days of peak demand. For better visitor distribution, visitors will be encouraged to move beyond the visitor center and the nearby Totem Trail into less frequently visited areas, such as the fort site, the battleground, and the Russian Memorial. By funding and implementing comprehensive research and interpretive programs, the NPS will place increased emphasis on the park's cultural resources and on the purpose and significance of the park.

A Notice of Intent to prepare an environmental impact statement (EIS), published in the **Federal Register** in May 17, 1995 (60 FR 26455), formally initiated the National Park Service planning and EIS effort for the park. A draft and final plan and EIS were prepared. The final plan and abbreviated EIS describe and analyze the environmental impacts of a proposed action and three other action alternatives. A no-action alternative also was evaluated.